

Jurors returning to court in Ruiz trial

Kristin M. Kraemer, Herald staff writer

PASCO -- The 14 jurors in limbo since May 11 are to return to Franklin County court today to see if they have any scheduling conflicts before the Vicente Ruiz murder trial resumes.

Superior Court Judge Cameron Mitchell agreed with attorneys Thursday that the court must first discuss the new time frame with the jury panel.

The trial, which started April 19, originally was scheduled to last six weeks. That means it would have been over by this week.

However, lengthy individual questioning of prospective jurors and appeals by Ruiz's lawyers delayed the start of opening statements and testimony. And Mitchell and the lawyers are concerned jurors, who were told they should be free from service by mid-June, now are looking at serving well into July and may have personal plans or work hardships.

One juror told the court last month that she was leaving town around the July Fourth holiday weekend for a family trip.

"We all think it's appropriate to find out if this panel is intact," said Bob Thompson, one of three attorneys representing Ruiz in the 1987 shootings at a Pasco garage.

Deputy Prosecutor Frank Jenny said given the case's unique circumstances, Judge Mitchell should "be liberal to accommodate the jurors." If someone has plans for a three-day weekend, the court may consider taking an extra day off in the middle of the trial, Jenny said.

Opening statements are planned for Monday.

Ruiz, 45, is charged with five counts of aggravated first-degree murder and one count of first-degree attempted murder.

Prosecutors allege he was one of two suspects who gunned down six men inside Medina's Body Shop. One of the six survived.

After the court spent three weeks asking potential jurors about their knowledge of the case or issues with sitting on a jury for so long, a panel of 12 jurors and two alternates was seated May 10.

Opening statements had been scheduled May 11, but jurors were told to stay home when state Court of Appeals Commissioner Joyce J. McCown decided just hours before to delay the trial. She agreed to consider defense claims that the jury panel knew too much about the case from media reports and conversations with other jurors in the courtroom and residents in the community.

Mitchell earlier had denied a request to toss out the entire jury pool and move the case to another county. That is when the defense asked the appellate court for emergency review.

McCown read court documents and trial transcripts before ruling May 26 that Ruiz's lawyers "failed to establish that the trial court abused its discretion." She said just because the jury pool had heard about the 22-year-old case doesn't establish bias if the jurors indicated they can be fair and impartial.

The defense then asked a three-judge panel of the Court of Appeals to modify the commissioner's ruling. That motion was denied Wednesday.

Mitchell set Thursday's hearing to see if both sides are ready to start now that the stay has been lifted. Thompson and Jenny said they are prepared.

Thompson said Mitchell should ask jurors if "during the interim three weeks they heard or observed anything in the media that has affected their ability to be fair and impartial."

He also added that the defense team still is thinking about appealing to the state Supreme Court and asking the justices to review if the jury is tainted.

-- Kristin M. Kraemer: 582-1531; kkraemer@tricityherald.com

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